IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11380 of 2005

Between:

1 Adepu Narasaiah, s/o Rama Swamy,
r/o 16-1-17, Railway Gate, Karimabad Road, Warangal.
2 Adepu Venkateswarlu, s/o Rama Swamy,
r/o 16-1-17, Railway Gate, Karimabad Road, Warangal.

..... PETITIONERS

AND

1 The District Collector, Urban Land Ceiling Wing, Warangal District, Warangal-506 002.
2 The Chief Commissioner of Land Reforms & Urban Land Ceiling, Nampally Station Road, Abids, Hyderabad-500001.
3 Special Officer and Competent Authority, Urban Land Ceiling, Warangal-506 001.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents 2 & 3 herein in not disposing of the appeal WGL/59/2004 filed by the petitioners herein under Section 33(1) of "The Urban Land (Ceiling and Regulation) Act as arbitrary, illegal and capricious apart from gross violation of exercise of powers under sub section (2) of Section 33 of Act and consequently direct the respondents to dispose of the appeal as expeditiously as possible.

Counsel for the Petitioner: MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

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ORDER:

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The petitioners submit that against the order dated 28-06-2004 in Rc.No.A3/1302/76 passed by the third respondent under the Urban Land (Ceiling and Regulation) Act, they have filed an appeal before the second respondent on 10-08-2004. Even before the appeal is disposed of by the appellate authority, the respondents 1 and 3 are interfering with the possession of the petitioners.

Having regard to the facts and circumstances of the case, the second respondent is directed to consider and dispose of the appeal WGL/59/2004 filed against the order dated 28-06-2004 in Rc.No.A3/1302/76 of the Special Officer and Competent Authority, Warangal within a period of two months from the date of receipt of a copy of this order. Till then, the petitioners shall not be dispossessed from their property.

The writ petition is disposed of accordingly. No costs.

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V.ESWARAIAH, J

Dated 17th May, 2005.

YCR/ES

To

1 The District Collector, Urban Land Ceiling Wing, Warangal District, Warangal-506 002.
2 The Chief Commissioner of Land Reforms & Urban Land Ceiling, Nampally, Station Road, Abids, Hyderabad-500001.
3 The Special Officer and Competent Authority, Urban Land Ceiling, Warangal-506 001.

4. 2 CCs to GP for Land Acquisition, High Court Buildings, Hyderabad. (OUT)

5. 2 C.D. copies